

# Notice of Allowability

Application No.

09/411,125

Examiner

Debra F. Charles

Applicant(s)

BOUCHER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to June 21, 2004.
2. ☒ The allowed claim(s) is/are 1,2,4-6,11,12 and 14-16.
3. ☒ The drawings filed on 21 June 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10/15/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

  
FRANTZY POINVIL 10/13/04  
PRIMARY EXAMINER

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***Response to Amendment***

1. Claims 1,2, 4, 5, 6, 11, 12, 14, 15, and 16 have been amended. Claims 3, 7-10, 13, and 17-20 have been canceled. The specification and drawings have been amended.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian A. Lemm on October 15, 2004.

The application has been amended as follows:

For Claim 1, line 3, the phrase - - using a server, the method - - has been inserted after the word "information".

For claim 1, line 4, the phrase - -, using a server,- - has been inserted after the word "selecting".

For claim 1, line 6, the phrase - -, using a server,- - has been inserted after the word "selecting".

For claim 1, line 8, the phrase - - using the server to determine - - has been inserted after the word "package,".

For claim 1, line 9, the word - - determining - - has been deleted.

For claim 1, line 12, the phrase - - ,using the server, - - has been inserted after the word "locating".

For claim 1, line 13, the phrase - - stored in the server - - has been inserted after the word "cells".

For claim 1, line 16, the phrase - - , using in the server, - - has been inserted after the word "reading".

For claim 1, line 18, the phrase - - , using the server, - - has been inserted after the word "package".

For claim 1, line 21, the phrase - - , using the server, - - has been inserted after the word "verifying".

For claim 11, immediately after line 3, a line 4 and the phrase - - a server; - - has been inserted.

For claim 11, immediately after the new line 4, a line 5 and 6 and the phrase - - a plurality of software components stored in the server, the plurality of software components comprising: - - has been inserted.

For claim 11, immediately after the new line 6, the phrase - - causing the server to select - - has been inserted after the phrase "means for", and the word "selecting" has been deleted.

For claim 11, in the new line 10 created from inserting the above items, the phrase - - causing the server to select - - has been inserted after the phrase "means for" and the word "selecting" has been deleted.

For claim 11, in the new line 12 created from inserting the above items, the phrase - - causing the server to determine - - has been inserted after the phrase "means for" and the word - - determining - - has been deleted.

For claim 11, in the new line 17 created from inserting the above items, the phrase - - causing the server to locate - - has been inserted after the word "for".

For claim 11, in the new line 18 created from inserting the above items, the word - locating -- has been deleted.

For claim 11, in the new line 19 created from inserting the above items, the phrase - - stored in the server- - has been inserted after the word "cells".

For claim 11, in the new line 22 created from inserting the above items, the phrase - - causing the server to read - - has been inserted after the phrase "means for" and the word "reading" has been deleted.

For claim 11, in the new line 24 created from inserting the above items, the phrase - - causing the server to select - - has been inserted after the phrase "means for" and the word - - selecting - - has been deleted.

For claim 11, in the new line 28 created from inserting the above items, the phrase - - means for causing the server - - has been inserted before the words "to verify" and the phrase - - a real time clock - - has been deleted.

For claim 11, in the new line 29 creating from inserting the above items, the phrase - - using a real time clock - - has been inserted after the word "information".

For claim 11, in the new line 31 creating from inserting the above items, the phrase - - causing the server to provide - - has been inserted after the phrase "means for" and the word - - posting - - has been deleted.

***Allowable Subject Matter***

3. Claims 1,2, 4, 5, 6, 11, 12, 14, 15, and 16 are allowed.
4. The following is an examiner's statement of reasons for allowance:

As per Claim 1.

The present invention is directed to a method for computerized data processing using a server, that selects a carrier for shipment of a package from an origin to a destination based on carrier specific delivery commitment information using a matrix with a real-time clock. Independent claim 1 identifies the uniquely distinct features of each cell contains delivery commitment information for that carrier for the selected service level and selected class of service for the package, determining a service column index value and verifying said delivery commitment information relative to a real time clock to produce verified delivery commitment information. The closest prior art, Kara(5812991A), Wilz et al.(6510997B1), Kucukcakar et al.(5533179A), Demers et al.(6105018A), Desiraju et al.(5631827A), Nicholls et al.(6243613B1) and Manuley et al.(5778348A), Thiel(6035291A), Rosenheimer(WO 99/03256), Bill Virgin, "Major Mail changes ahead for business New Incentives and Higher Requirements", Seattle Post-Intelligencer, June 21, 1996, pg. B.1, and John T. Mentzer et al., "Developing a

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Logistics Service Quality Scale", Journal of Business Logistics, v20n1 pages 9-32; disclose mailing systems, logistics systems, planning methods, indexing techniques, hardware description language modifications, bar-code scanner, postage credit retrieval, postal manifest system, and most beneficial carrier meter charging, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious as per the priority date of the patent application.

As per Claim 11.

The present invention is directed to a system for computerized data processing using a server, that selects a carrier for shipment of a package from an origin to a destination based on carrier specific delivery commitment information using a matrix with a real-time clock. Independent claim 11 identifies the uniquely distinct features of each cell contains delivery commitment information for that carrier for the selected service level and selected class of service for the package, determining a service column index value and verifying said delivery commitment information relative to a real time clock to produce verified delivery commitment information. The closest prior art, Kara(5812991A), Wilz et al.(6510997B1), Kucukcakar et al.(5533179A), Demers et al.(6105018A), Desiraju et al.(5631827A), Nicholls et al.(6243613B1) and Manuley et al.(5778348A), Thiel(6035291A), Rosenheimer(WO 99/03256) Bill Virgin, "Major Mail changes ahead for business New Incentives and Higher Requirements", Seattle Post-Intelligencer, June 21, 1996, pg. B.1, and John T. Mentzer et al., "Developing a

Logistics Service Quality Scale", Journal of Business Logistics, v20n1 pages 9-32; disclose mailing systems, logistics systems, planning methods, indexing techniques, hardware description language modifications, bar-code scanner, postage credit retrieval, postal manifest system, and most beneficial carrier meter charging, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious as per the priority date of the patent application.

The claims which depend from the above allowed claims are allowed based on their dependencies.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 305-4718. The examiner can normally be reached on 9-5 Monday thru Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (703) 308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra F. Charles  
Examiner  
Art Unit 3628

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**FRANTZY POINVIL**  
**PRIMARY EXAMINER**

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